



Atlantic States Marine Fisheries Commission

NEWS RELEASE

FOR IMMEDIATE RELEASE
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Rhode Island Found Out-of-Compliance with Addendum I

Clearwater Beach, Florida – The Atlantic States Marine Fisheries Commission today determined that the State of Rhode Island is out-of-compliance with the required non-trap gear possession limit of Amendment 3 to the Interstate Fishery Management Plan (FMP) for American Lobster. Specifically, Rhode Island is not implementing the limits on non-trap gear provided by the FMP.

This action was based on the recommendations of the American Lobster Management Board and the Interstate Fisheries Management Program (ISFMP) Policy Board. The non-trap gear provision is one of seven coastwide management measures that are the foundation of the FMP. The provision limits the possession of lobster by non-trap gear to 100 lobsters per day, up to a maximum of 500 lobsters for trips five days or longer. This provision is intended to be a bycatch allowance for the mobile gear fishery. Amendment 3 required implementation of this measure by October 1, 1998.

From the October 1, 1998 to June 29, 2000, the State of Rhode Island fully implemented and enforced this measure. However, the measure was withdrawn by Rhode Island's Marine Fisheries Council this past June despite the objections of the Secretary of Department of Environmental Management and Governor Almond.

The Commission's ISFMP Charter requires the Executive Director to notify the State, Secretary of Commerce and the Secretary of the Interior of the Commission's determination within 10 working days of the Commission's finding. Upon receipt of the recommendation, the Secretary of Commerce has 30 days to review the recommendation and take final action. If Rhode Island should remain out-of-compliance with Addendum I then ultimately the Secretary of Commerce may place a moratorium on fishing for American lobsters in Rhode Island (pursuant to 16 U.S.C. 5106). These actions are the result of the Atlantic Coastal Fisheries Cooperative Management Act, which mandates a cooperative state/federal program to conserve and manage valuable coastal fisheries. It requires the Commission to prepare and adopt FMPs. It also imposes an obligation on each state covered by a FMP to implement and enforce the FMP's regulations in state waters, or else face the possibility of a federal moratorium on fishing for the affected species in that state.

For more information, please contact Dieter Busch, Director, Interstate Fisheries Management Program, at (202) 289-6400.

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